

AN ORDINANCE BY

COUNCILMEMBER CATHY WOOLARD

01-0448

**AN ORDINANCE AUTHORIZING THE  
MAYOR OR HIS DESIGNEES TO INSTALL  
THE PROPER SIGNAGE TO IDENTIFY  
ENTRANCE INTO HISTORIC DISTRICTS  
AND TO ENFORCE NEW STATE LAW  
DEALING WITH SPEEDERS IN HISTORIC  
DISTRICTS; AND FOR OTHER PURPOSES.**

**Whereas;** the State Legislature did pass HB 865 during the 2000 session which gives local jurisdictions the authority to issue speeding tickets to offenders exceeding the posted speed limits by one (1) mile per hour in Historic Districts as defined in paragraph (5) of O.C.G.A. § 44-10-22 and listed on the Georgia Register of Historic Places; and

**Whereas;** Historic Districts are traditionally tourist attractions and the influx of people makes speeding a safety hazard for tours and pedestrians; and

**Whereas;** the intent of the legislation was to increase safety for pedestrians and tourists in historic districts by slowing motorists in the area down and not to increase the City's revenue coffers; and

**Whereas;** the legislation requires jurisdictions that plan to enforce this new law to properly mark its historic districts to provide motorists with fair warning of the impending enforcement area; and

**Whereas;** the implementation of this legislation will hopefully slow motorists down and allow pedestrians and tourists alike to enjoy the rich history of Atlanta and its cultural heritage.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1:** That the Mayor or his designee(s) the Commissioner of Public Works, Commissioner of Planning, Development and Neighborhood Conservation and the Urban Design Commission implement the installation of Historic District Speeding Zones designation signs in the approved historic districts of:  
Candler Park Historical District, Druid Hills Historical District, Midtown Historical District and Atkins Park Historical District.

**SECTION 2:** That all ordinances in conflict herewith are hereby repealed.

The following streets are located in historic districts and have previously been approved for radar detection:

- Candler Park Drive (from McLendon Ave. to North Ave.)
- Clifton Road (from Ponce de Leon Ave. to DeKalb Ave.)
- Euclid Avenue (from Moreland Ave. to North Ave.)
- McLendon Avenue (from Moreland Ave. to Mathews St.)
- Myrtle Street (from Ponce de Leon Ave. to Tenth St.)
- Oakdale Road (from DeKalb Ave. to North Ave.)
- Oakdale Road (from Ponce de Leon Ave. to .50 miles north of Ponce)
- Tenth Street (from Monroe Dr. to Piedmont Ave.)
- St. Charles Ave. (from Briarcliff Rd. to N. Highland Ave.)

H. B. No. 865 (AS PASSED HOUSE AND SENATE)

By: Representatives Mueller of the 152nd, Stephens of the 150th, Day of the 153rd, Pelote of the 149th and Bordeaux of the 151st

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 14 of Title 40 of the Official Code of 22  
2 Georgia Annotated, relating to the use of radar speed 23  
3 detection devices, so as to change the provisions relating 24  
4 to when a case may be made and conviction had with respect  
5 to the use of speed detection devices; to provide for the 25  
6 use of speed detection devices in historic districts; to 26  
7 define a certain term; to require local governments to file 27  
8 annual reports on the amount of certain fines levied based 28  
9 on the use of speed detection devices; to require the  
10 Department of Public Safety to perform certain duties; to 30  
11 require courts which adjudicate citations for speeding 31  
12 violations to perform certain duties; to provide that any  
13 person whose duty it is to collect and provide information 32  
14 required under this Act and who fails or refuses to collect 33  
15 and provide such information shall be guilty of a  
16 misdemeanor; to repeal conflicting laws; and for other 34  
17 purposes.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA: 37

19 SECTION 1. 39

20 Chapter 14 of Title 40 of the Official Code of Georgia 41  
21 Annotated, relating to the use of radar speed detection 42  
22 devices, is amended by striking in its entirety Code Section 43  
23 40-14-8, relating to when a case may be made and conviction 44  
24 had with respect to the use of speed detection devices, and  
25 inserting in its place a new Code Section 40-14-8 to read as 45  
26 follows:

27 "40-14-8. 47

28 (a) No county, city, or campus officer shall be allowed to 49  
29 make a case based on the use of any speed detection 50  
30 device, unless the speed of the vehicle exceeds the posted 51  
31 speed limit by more than ten miles per hour and no  
32 conviction shall be had thereon unless such speed is more 52  
33 than ten miles per hour above the posted speed limit. 53

1 (b) The limitations contained in subsection (a) of this 55  
 2 Code section shall not apply in properly marked school 56  
 3 zones one hour before, during, and one hour after the 57  
 4 normal hours of school operation, in properly marked  
 5 historic districts, and in properly marked residential 58  
 6 zones. For purposes of this chapter, thoroughfares with 59  
 7 speed limits of 35 miles per hour or more shall not be 60  
 8 considered residential districts. For purposes of this  
 9 Code section, the term 'historic district' means a 61  
 10 historic district as defined in paragraph (5) of Code 62  
 11 Section 44-10-22 and which is listed on the Georgia  
 12 Register of Historic Places or as defined by ordinance 63  
 13 adopted pursuant to a local constitutional amendment." 64  
 14 SECTION 2. 67  
 15 All laws and parts of laws in conflict with this Act are 69  
 16 repealed.

01-0-0448

(Do Not Write Above This Line)

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AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEES TO INSTALL THE PROPER SIGNAGE TO IDENTIFY ENTRANCE INTO HISTORIC DISTRICTS AND TO ENFORCE NEW STATE LAW DEALING WITH SPEEDERS IN HISTORIC DISTRICTS; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred 3/5/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RRC Vote

CERTIFIED

MAYOR'S ACTION